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Attorneys for Non-Parties John C. Coates and Cornerstone Research Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

GIUSEPPE PAMPENA, individually and on behalf of all others similarly situated,

Case No.: 3:22-cv-05937-CRB

Judge: Hon. Charles R. Breyer
Magistrate Judge: Hon. Donna M. Ryu

Plaintiff,

VS.

ELON MUSK.

Defendant.

Complaint Filed: October 10, 2022
Trial Date: Not Set

STIPULATION

Pursuant to Civil Local Rule 7-12, Plaintiff Giuseppe Pampena and others similarly situated (“Plaintiffs”), non-party and movant John Coates (“Coates”), and Cornerstone Research Inc. (“Cornerstone Research”) (Plaintiffs, Coates, and Cornerstone Research Inc. shall collectively be referred to hereafter as the “Stipulating Parties”) jointly stipulate as follows:

WHEREAS, on February 28, 2025, Plaintiffs served Coates a subpoena calling for his deposition testimony and production of the following documents: (1) all final expert reports that Coates authored and that any party submitted to the Court or the opposing party in *Twitter, Inc. v. Elon R. Musk, et al.* C.A. No. 2022-0613-KSJM (the “Delaware Action”), (2) all documents on which Coates relied for purposes of, or which support, the opinion(s) stated in any final expert report that Coates

1 authored and that any party submitted to the Court or the opposing party in the Delaware Action, and
2 (3) any final expert reports authored by others in the Delaware Action that any party submitted to the
3 Court or the opposing party in the Delaware Action.

4 WHEREAS, on February 27, 2025, Plaintiffs served Cornerstone Research a subpoena calling
5 for its production of the following documents: (1) all final expert reports that any party submitted to the
6 Court or the opposing party in the Delaware Action, and (2) all documents on which any expert relied
7 for purposes of, or which support, the opinion(s) stated in any final expert report that any party
8 submitted to the Court or the opposing party in the Delaware Action.

9 WHEREAS, on March 19, 2025, Coates filed with this Court a motion to quash the subpoena
10 (ECF # 141). On March 25, 2025, this Court denied that motion without prejudice (ECF # 152). In
11 that order, the Court directed Coates and Plaintiffs to further meet and confer and if the parties were
12 unable to reach an agreement to file a joint letter with the Court on April 8, 2025.

13 WHEREAS, on March 31, 2025, the Stipulating Parties' respective counsel met and conferred
14 regarding the subpoenas and after doing so, both sides determined they had reached an impasse on the
15 issues presented. Further, the Stipulating Parties determined that a Joint Letter to be submitted should
16 address both: 1) Plaintiffs' subpoena to Coates, the subject of the prior Motion and Ruling and 2)
17 Plaintiffs' subpoena to Cornerstone Research. (Counsel for Coates also represents Cornerstone
18 Research in this matter.)

19 WHEREAS, on March 31, 2025, Plaintiffs and Defendant Elon Musk ("Musk") filed with this
20 Court a Joint Letter (ECF # 160) regarding Plaintiffs' demand that Musk produce the expert reports that
21 Twitter had produced to him in the Delaware Action. (ECF # 160). The Stipulating Parties believe a
22 ruling on the joint letter (ECF #160) submitted by Plaintiffs and Musk may narrow the scope of the
23 Stipulating Parties' dispute, viz.: the Stipulating Parties agree that in the event this Court orders Musk
24 to produce the expert reports in question, it will moot Plaintiffs' documents demands to Coates and
25 Cornerstone Research and may impact Plaintiffs' demand for Coates' deposition.

26 WHEREAS, the Stipulating Parties have conferred and agreed based on the foregoing and in the
27 interest of conserving judicial resources that good cause exists for the filing date of their Joint Letter to

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310.203.2727

1 be postponed until after a ruling on Musk's and Plaintiffs' Joint Letter (ECF #160).

2 IT IS THEREFORE HEREBY STIPULATED AND AGREED by the Stipulating Parties
 3 hereto, through their undersigned counsel, subject to the approval of the Court that:

4 1. The joint letter by Plaintiffs and Coates shall be due three (3) court days after the Court
 5 issues its ruling on the March 31, 2025 joint letter (ECF #160) submitted by Plaintiffs and Musk.

6 2. The fact discovery cut-off shall be extended for the limited purpose allowing Plaintiffs
 7 to obtain, or seek to obtain, the document and deposition discovery described herein from Coates and/or
 8 Cornerstone Research.

9
 10 DATED: April 4, 2025

11 /s/ Damian J. Martinez
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 41 *Lead Counsel for Plaintiffs and the Class*

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Damian J. Martinez, attest that concurrence in the filing of this document has been obtained from the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 4th day of April 2025 at Los Angeles, California.

By /s/ Damian J. Martinez
Damian J. Martinez

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1 **[PROPOSED] ORDER**
2 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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5 DATED: _____
6 HONORABLE DONNA M. RYU
7 UNITED STATES MAGISTRATE JUDGE
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PROOF OF SERVICE OF DOCUMENT
Case No. 3:22-cv-05937-CRB
Giuseppe Pampena, et al. v. Elon Musk

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to this action. My business address is Leech Tishman Fuscaldo & Lampl, 1100 Glendon Avenue, 14th Floor, Los Angeles, California 90024.

On April 4, 2025, I served the attached document described as: **STIPULATION ON JOINT DISCOVERY LETTER AND [PROPOSED] ORDER** on the interested parties in this action as follows:

- Via US Mail: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred.
- Via Email: Based on a written agreement of the parties to accept service by email, I caused the document(s) to be sent to the persons at the email service addresses included on the attached service list.
- Via CM/ECF Electronic Filing: I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(b)(2)(E). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(b)(2)(E). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing "pro se."
- (Federal) – I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 4, 2025
Date

Matthew Mocciaro
Printed Name

/s/ Matthew Mocciaro
Signature

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